



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,031	03/19/2004	Daniel J. Zigmond	MS1-1899US	7958
22801	7590	06/23/2010		
LEE & HAYES, PLLC 601 W. RIVERSIDE AVENUE SUITE 1400 SPOKANE, WA 99201			EXAMINER STRONCZER, RYAN S	
			ART UNIT	PAPER NUMBER
			2425	
			NOTIFICATION DATE	DELIVERY MODE
			06/23/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

Office Action Summary

Application No.

10/805,031

Applicant(s)

ZIGMOND ET AL.

Examiner

Ryan Stronczer

Art Unit

2425

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 8-13, 18, 20-22 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-13, 18, 20-22 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06 April 2010 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8-22, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al. (Pub. No.: US 2003/0093790) and further in view of Safadi et al. (Pub. No.: US 2001/0051037), Lees et al. (US Pat. No.: 7,162,499, previously cited), Knudson et al. (US Pat. No.: 6,536,041), Marsh et al. (US 2004/0003403), Vasudevan et al. (US Pat. No.: 7,028,057), and Dunstan (Pub. No.: US 2004/0187151, previously cited).

As to amended claims 1 and 13, Fig. 1 of Logan teaches a system for editing previously recorded video content according to metadata received after said program

has been recorded. Logan teaches recording a live program and associated metadata including a timestamp and a scheduled program length and further teaches receiving updated metadata associated with the live broadcast and replacing the previously recorded metadata with the updated metadata.

As to the amended limitation that “[the metadata] include[s] a scheduled program length, a keyword section comprising keywords associated with the live broadcast, and a timestamp indicating a unique version associated with the metadata,” Logan teaches the recited scheduled length and timestamp ([0080]) as well as the recited keyword section ([0336] teaches that the program metadata includes “keyword descriptors”), but does not explicitly teach the recited unique version number. In an analogous art, Fig. 2 and Col. 3/Line 66—Col. 4/Line 5 of Lees teaches a method for resolving conflicts between multiple sets of metadata by utilizing both a timestamp and version number(s), as recited. As Logan teaches that a user can potentially receive multiple updates of metadata for the same program, it would have been desirable to incorporate the timestamp and version number comparison taught by Lees into the system of Logan to ensure that the user always had the most current version of the metadata, even when multiple versions were produced with the same timestamp. One of ordinary skill in the art at the time of the invention would have recognized this modification as a combination of known elements in the art that would have yielded predictable results.

As to the amended limitation of “identifying program details, from the recorded live broadcast itself, after recording the live broadcast,” Logan teaches

that the metadata for a specific program can be generated by the user after the program has been recorded [0307-308], including user-generated information about segments of said recorded program [0333-335].

Though Logan teaches receiving updated metadata about a program, either received from an external source or generated by the user, it does not explicitly teach the amended limitations of **“determining if the identified program details are different from the metadata associated with the live broadcast [and] updating the metadata associated with the live broadcast, in response to a determination of program details differing from the metadata associated with the live broadcast.”**

In an analogous art, Dunstan teaches a method for receiving a second set of metadata about a program, identifying any differences between the received and existing metadata, and replacing the existing metadata with the updated metadata, if necessary. Specifically, Dunstan teaches:

In this embodiment, the items in Recorded Content List 215 may be compared directly against Change Metadata 205, to determine whether any recorded items have changed. Alternatively, Change Metadata 205 may be compared to Metadata 200, and a list of items that have changed between the two may then be compared to Recorded Content List 215. It will be readily apparent to one of ordinary skill in the art that changes to previously-broadcast recordings may be identified and compared against Recorded Content List 215 in various ways without departing from the spirit of embodiments of the present invention. [0026]

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Logan to incorporate the metadata change determination taught by Dunstan. This would have been desirable as it would have enable the system to autonomously detect and effect metadata updates. One of

ordinary skill in the art at the time of the invention would have recognized this as a combination of known elements in the art that would have yielded predictable results.

As to the limitation of **“displaying a listing of previously recorded programs to a user, wherein a one of the previously recorded programs is the live broadcast,”** the devices taught by both Logan and Safadi are DVRs and the Examiner takes Official Notice that it was notoriously well-known and widely practiced in the art at the time of the invention for a DVR to be capable of displaying the list of recorded programs.

As to the amended step of **“displaying updated metadata associated with the live broadcast, wherein the updated metadata is generated by the data provider, indicate an exact program length and include a timestamp indicating a unique version associated with the updated metadata,”** Logan teaches that the metadata available at the time of the original recording may not be exact and the system allows the user to compensate for this potential inaccuracy when scheduling a recording by allowing the user to record extra time—“running room”—and then delete the unwanted extra portion at a later time [0113]. Though Logan teaches receiving updated metadata regarding a recorded program and that later editing of said recorded program, including deleting unwanted “running room,” may be done in accordance with the updated metadata, it does not explicitly teach receiving a metadata update that includes the exact running length of a program, as recited. In an analogous art, Safadi teaches a personal video recorder (PVR) that records a broadcast program as well as metadata associated with said program indicating the program's start and end time [0020]. Safadi

further teaches that after the program has concluded, the PVR can receive updated metadata from an EPG data server, said updated metadata including the exact running length of the recorded program [0061].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the metadata comprising an exact running length taught by Safadi into the updated metadata of Logan. As Logan does not explicitly teach a method for ascertaining the exact length of the desired program, it would have been desirable to incorporate Safadi's method for automatically receiving updated metadata from the EPG server to ensure that the running time is accurate and that only unwanted portions of the recording are deleted.

As to the limitation of **"receiving updated metadata associated with previously recorded programs that correspond to the displayed listing of the previously recorded programs..."** the device of Safadi is capable of receiving updated metadata for all recorded programs stored on the DVR.

As to the limitation that the updated metadata comprise **"updated time periods associated with programs which were also recorded, and which are adjacent to the recorded live broadcast in the displayed listing,"** para. 0061 of Safadi teaches that the DVR can update the metadata for all recorded programs and running. If the running length for two programs displayed adjacently were both updated, the updated metadata of Safadi's system would necessarily reflect that change.

As to the limitation that **"...the information generated after the live broadcast is completed comprising at least one of a result of a sporting event, a player**

setting a new record, or an award received,” though Safadi teaches updating the metadata for a sporting event [0011] and Logan teaches that the metadata for a sporting event can include a score or result (see, e.g., [0355] or [0409]), they do not explicitly teach receiving updated metadata generated after the live broadcast is completed including a result of a sporting event, as recited. In an analogous art, Knudson, as previously cited w/r/t now-cancelled claim 6, teaches a system for updating the metadata of a live program such as a baseball game wherein “...*game recap information may be provided to the program guide. Game recap information may include game highlights or any other suitable game summary information... Event update information may include, for example, changes to the currently scheduled game time due to a weather delay*” (col. 18/lines 8-17). It would have been obvious to one of ordinary skill in the art at the time of the invention that the EPG server taught by 0061 of Safadi could be modified to receive the game recap information taught by Knudson to allow Safadi’s users to receive comprehensive metadata updates containing more information than simply the running length of the program.

As to the recited “**updated keyword section associated with the live broadcast, wherein the updated keyword section contains data unknown before the live broadcast,**” Knudson teaches a system for updating the metadata of a live program such as a baseball game wherein “...*game recap information may be provided to the program guide. Game recap information may include game highlights or any other suitable game summary information...Event update information may include, for example, changes to the currently scheduled game time due to a weather delay*” (col.

18/lines 8-17), the game recap information taught by Knudson is functionally equivalent to the recited keywords. One of ordinary skill in the art at the time of the invention would recognize that information about the outcome of a sporting event included in the updated metadata would be inherently unknowable before the live broadcast of the game.

As to the limitation that **"two sets of metadata are displayed simultaneously in the listing,"** while Logan in view of Lees and Safadi, as analyzed above, teaches using timestamp and/or a version number to perform conflict resolution between conflicting sets of metadata, it does not explicitly teach displaying multiple sets of metadata simultaneously. In an analogous art, Fig. 5 and columns 6-7 of Vasudevan teaches a method for resolving a conflict when multiple versions of the same entry exist in a database by simultaneously displaying said multiple versions. Specifically, Vasudevan teaches a *"versioned relational database system [that] includes auxiliary views 517 for showing conflicting rows on a merge operation, for showing locked rows, for showing differences between two versions, and for simultaneously showing data for multiple versions"* (col. 7/lines 39-48, emphasis added). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the conflict resolution taught by Vasudevan into the systems of Logan, Safadi, and Lees so that a user could see the differences between conflicting versions of metadata.

As to the amended limitation that **"wherein a relative ranking is displayed indicating which set of metadata are assumed to be more accurate,"** Lees teaches performing conflict resolution among a plurality of sets of metadata based on a

timestamp and/or version number; however, it does not explicitly teach the recited accuracy ranking. In an analogous art, Marsh teaches a system for receiving metadata updates from multiple sources in which

[e]ach piece of metadata is typically tagged with its source. This allows updates, but also allows stack ranking decisions to be made based on different provider trust levels for each metadata category. Each metadata provider is allocated a MSI [metadata source identifier]. The MSI numbers, and details of the different providers, together with their pecking order for the different metadata categories, are defined in a separate table. [0057]

The “provider trust level” taught by Marsh is equivalent to the recited accuracy ranking. As Logan teaches that a user can potentially receive multiple updates of metadata for the same program from different sources including both a content provider and other users, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system taught by Logan, Lees, and Safadi with the provider trust levels taught by Marsh to facilitate conflict resolution when receiving conflicting metadata for a particular program from multiple sources. This would have been desirable as displaying an accuracy ranking would have helped a user determine which set of metadata is more accurate when multiple sets of metadata are displayed simultaneously.

Regarding claim 13, the rejection of claim 1 is incorporated herein. As to the limitation of **“displaying a listing of previously recorded programs to a user, wherein a one of the previously recorded programs is the live broadcast,”** the devices taught by both Logan and Safadi are DVRs and the Examiner takes Official Notice that both DVRs would have been capable of displaying the recited listing.

As to the amended limitation of **“receiving updated metadata associated with previously recorded programs that correspond to the displayed listing of the previously recorded programs...”** the device of Safadi is capable of receiving updated metadata for all recorded programs stored on the DVR.

As to claim 2, [0061] of Safadi teaches that the PVR can request updated metadata from the EPG server both during and after the recording of the program.

As to claim 3, paragraph 0113 of Logan teaches recording extra time past the scheduled end of a program (“running room”) to ensure that *“every program has at least the entire rendition to it”* [0113]. Examiner further takes Official Notice that it is well known in the art for a DVR to allow a user to record extra time consistent with the running room taught by Logan to allow for live events (e.g., sporting events) which may run longer than the scheduled time (e.g., if the game goes into overtime). It would have been obvious to one of ordinary skill in the art at the time of the invention that the user could have scheduled the running room to be any length he or she deemed necessary to ensure recording of the entire program. As to the limitation that **“the recording of the live broadcast continues for about 133% of the scheduled length,”** Applicant is advised that the limitation comprises functional language and does not serve to further limit the claimed apparatus (see *MPEP § 2114 [R-1]*).

As to claim 4, Logan, as cited in the previous Office Action, teaches that the user can receive updated metadata from a plurality of sources.

As to claim 5, Fig. 4 and 5 of Logan teach a user interface that can be displayed at the user's request. Fig. 5 shows the metadata associated with the content, in this

case a list of segments of the program, a synopsis of the highlighted segment, and a status bar indicating the length of the program and the relative lengths of the segments. Given that Logan teaches receiving updated metadata for recorded content, it would have been obvious to one of ordinary skill in the art that the system could display updated segment titles, lengths, or synopsis according to the updated metadata.

As to claim 8, the rejection of claim 1 is incorporated herein. As to the limitation that **"if the second updated metadata is more current than the previously received updated metadata, then replacing the previously received updated metadata with the second updated metadata,"** both Logan and Lees, as cited above, teach methods for determining which of two versions of metadata are more current. As to the limitation that Safadi, as cited above, teaches the recited limitation Paragraph 0061 of Safadi (cited above) further teaches the recited limitation **"if the second updated metadata indicates a second exact program length that is shorter than the exact program length indicated in the previously received updated metadata, then deleting from the client device a portion of the recording that exceeds the second exact program length."** Safadi teaches that after the program has concluded, the PVR can receive updated metadata from an EPG data server concerning the length of the program and can modify the recording to delete any unwanted portions not related to the recorded program [0061]. Specifically, Safadi teaches:

this recording flexibility is accomplished by continually updating, in near-real-time, the data produced by the electronic programming guide server. This data is then used by the set-top terminal/personal versatile recorder unit (200) to determine the appropriate start and end times for the desired programs... according to this alternative embodiment, the agent application may control the duration of the event after the event has been

recorded. In particular, a short time after recording the event, the agent application may use the updated, near-real-time data produced by the electronic programming guide server to accurately establish the times when the event has started and ended. By accurately establishing these times, the portion of the event that has been recorded before the event has started and after the event has ended is then deleted from the recording. [0061]

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Safadi into the system of Logan. Though Logan teaches adding "running room" to a scheduling recording to ensure that the desired program is recorded in full, Logan does not explicitly teach a method for ascertaining the exact length of the desired program. It would have been desirable to incorporate Safadi's method for automatically receiving updated metadata from the EPG server to ensure that the running time is accurate and that only unwanted portions of the recording are deleted.

As to claim 9, Lees teaches that the system can determine which of a plurality of sets of metadata is most current. If the previously received metadata is determined to be more current than the later-received metadata, it would have been obvious to one of ordinary skill in the art at the time of the invention to discard the later-received metadata to ensure that the user always has access to the most current metadata available for recorded content.

As to claim 10, communicating the updated metadata to at least one client device is inherent in Safadi and Logan.

As to claim 11, Safadi explicitly teaches using the disclosed system to record an event with variable start and end times such as a sporting event [0011].

As to claim 12, the recited computer program and one or more computer-readable memories are inherent in the systems of Logan and Safadi.

As to claim 15, the combined teachings of Logan in view of Lees and Safadi (as analyzed above), when considered as a whole, teaches that the metadata includes both a version number and a timestamp for determining which set of metadata is most current.

As to claims 16, the combined teachings of Logan in view of Lees and Safadi (as analyzed above), when considered as a whole, teaches that the system stores the updated metadata after it is received.

As to claim 17, the combined teachings of Logan in view of Lees and Safadi (as analyzed above), when considered as a whole, teaches that the system is operable to select the most current set of metadata from among a plurality of such sets and to store said selected, most-current set.

As to claim 18, [0061] of Safadi teaches that the PVR can request updated metadata from the EPG server both during and after the recording of the program which is equivalent to the updated **“requesting updated metadata...periodically.”**

As to claim 20, the recited **“computer readable memories”** are inherent in the systems taught by Logan, Knudson, Lees, and Safadi.

As to claim 21, the rejection of claims 1 and 13 is incorporated herein. The recited processor, computer readable media, and computer program are inherent in the systems of Logan, Safadi, Knudson, and Lees. As to the limitation of **“determin[ing] whether the other metadata associated with the content comes from a data**

provider with a higher accuracy ranking than the identified metadata: if the other metadata associated with the content comes from the data provider with the higher accuracy ranking than the identified metadata, then replace the identified metadata with the other metadata,” the combined teachings of Logan in view of Safadi, Lees, and Knudson, when considered as a whole, teaches that the client can receive real-time metadata updates from a plurality of real-time data sources and Safadi teaches replacing existing metadata with updated metadata received from an EPG server, further, Lees teaches perform conflict resolution among a plurality of sets of metadata based on a timestamp and/or version number; however, it does not explicitly teach resolving conflicting information about the same program received from multiple sources based on an accuracy ranking associated with each of said plurality of sources. In an analogous art, Marsh teaches a system for receiving metadata updates from multiple sources in which:

Each piece of metadata is typically tagged with its source. This allows updates, but also allows stack ranking decisions to be made based on different provider trust levels for each metadata category. Each metadata provider is allocated a MSI [metadata source identifier]. The MSI numbers, and details of the different providers, together with their pecking order for the different metadata categories, are defined in a separate table. [0057]

The “provider trust level” taught by Marsh is equivalent to the recited accuracy ranking. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the system taught by Logan and Safadi with the provider trust levels taught by Marsh to facilitate conflict resolution when receiving conflicting metadata for a particular program.

As to the limitation that **“if the identified metadata associated with the content comes from the data provider with the higher accuracy ranking than the other metadata, then discard the other metadata,”** though Marsh teaches resolving conflicting sets of metadata using accuracy rankings, it does not explicitly teach deleting or discarding the obsolete metadata. In an analogous art, Knudson teaches a system for updating the metadata of a live program. Fig. 20-21 of Knudson teach deleting metadata updates from the system after they are determined to have “expired” or are obsolete. It would have been obvious to one of ordinary skill in the art at the time of the invention that the expiration and removal of obsolete metadata taught by Knudson could be incorporated in the system of Logan in view of Safadi, Lees, and Marsh, to remove metadata that is determined to be outdated or obsolete as analyzed above.

As to claim 22, though Logan in view of Lees and Safadi, as analyzed above with respect to claim 21, teaches using timestamp and/or a version number to resolve a conflict between a plurality of sets of metadata, it does not explicitly teach displaying both sets of metadata simultaneously, as is recited in claim 22. In an analogous art, Fig. 5 and columns 6-7 of Vasudevan teaches resolving a conflict between multiple versions of a database. Vasudevan teaches a *“versioned relational database system includes auxiliary views 517 for showing conflicting rows on a merge operation, for showing locked rows, for showing differences between two versions, and for simultaneously showing data for multiple versions [emphasis added]”* (col. 7/lines 39-48). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the conflict resolution taught by Vasudevan into the systems of

Logan, Safadi, and Lees so that a user could see the changes made between conflicting versions of metadata.

As to claim 25, the rejections of claims 1, 13, and 21 are incorporated herein. The limitation that **"the updated metadata is comprises information generated after a broadcast of the broadcast content is completed,"** is taught by 0061 Safadi as cited above. As to the recited two-way communication interface coupled to the processor wherein:

the communication interface is configured to receive updated metadata from a plurality of data providers coupled to the apparatus...and a modem coupled to the processor, wherein the modem comprises at least one of a Public Switched Telephone Network (PSTN) modem, a Digital Subscriber Line (DSL) modem, or a cable modem,

Logan teaches: *"communication methods or apparatus used to transport metadata and/or content to the user as illustrated at 130 may take many different forms, including: the Internet, a dialup telephone connection through the public switched telephone network (PSTN)..."* [0050].

As to the limitation that **"the updated metadata is communicated using simple object access protocol (SOAP) messages transported using hypertext transfer protocol (http),"** paragraph 0050 of Logan teaches that the updated metadata can be transmitted to the user via the Internet. Examiner takes Official Notice that the use of the HTTP protocol is notoriously well-known and widely practiced in the art for transmitting data over an Internet connection, such as that taught by Logan, and it would have been obvious to one of ordinary skill in the art at the time of the invention to use the HTTP protocol to transfer the metadata to Logan's client device. Examiner

further takes Official Notice that SOAP is similarly well-known and widely-practiced in the art as a method for exchanging messages or data over an Internet application layer protocol such as HTTP and that it would have been obvious to one of ordinary skill in the art at the time of the invention to use the SOAP protocol to connect Logan's client device with the plurality of metadata sources via the Internet connection taught by Logan.

Response to Arguments

Applicant's arguments with respect to claims 1, 13, and 21 have been considered but are moot in view of the new ground(s) of rejection. Regarding the number of references cited in the rejection of independent claims 1, 13, and 21, reliance on a large number of references in a rejection does not, without more, weigh against the obviousness of the claimed invention; see *In re Gorman*, 933 F.2d 982, 18 USPQ2d 1885 (Fed. Cir. 1991). In the instant application, the Examiner notes that while the independent claims recite numerous features in combination, the recited features independently are all well-known elements in the art and that the combination of said features as recited in the instant claims would not have produced a result that would have been unexpected by one of ordinary skill in the art at the time of the invention.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Stronczer whose telephone number is (571) 270-3756. The examiner can normally be reached on 7:30 AM - 5:00 PM (EDT), Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian T. Pendleton can be reached on (571) 272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan Stronczer/
Examiner, Art Unit 2425

/Brian T. Pendleton/
Supervisory Patent Examiner, Art Unit 2425